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8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
9 **STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. **2010-333**

11 **GULTNESH SHIFFERAW AMBAW**  
12 275 Gray Granite Avenue  
13 Las Vegas, NV 89123-2977

**A C C U S A T I O N**

14 **Registered Nurse License No. RN 574308**

15 Respondent.

16  
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
20 official capacity as the Interim Executive Officer of the Board of Registered Nursing, Department  
21 of Consumer Affairs.

22 2. On or about November 21, 2000, the Board of Registered Nursing issued Registered  
23 Nurse License Number RN 574308 to Gultnesh Shifferaw Ambaw (Respondent). The Registered  
24 Nurse License was in full force and effect at all times relevant to the charges brought herein and  
25 will expire on August 31, 2010, unless renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Board of Registered Nursing (Board),  
28 Department of Consumer Affairs, under the authority of the following laws. All section

1 references are to the Business and Professions Code unless otherwise indicated.

2 4. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent  
3 part, that the Board may discipline any licensee, including a licensee holding a temporary or an  
4 inactive license, for any reason provided in Article 3 (commencing with section 2750) of the  
5 Nursing Practice Act.

6 5. Section 2764 states:

7 "The lapsing or suspension of a license by operation of law or by order or decision of  
8 the board or a court of law, or the voluntary suspension of a license by a licentiate shall not  
9 deprive the board of jurisdiction to proceed with any investigation of or disciplinary proceeding  
10 against such license, or to render a decision suspending or revoking such license."

11 6. Section 2811, subdivision (b), provides in pertinent part, that each license not  
12 renewed in accordance with that section shall expire, but may within a period of eight years  
13 thereafter be reinstated.

14 7. Section 2761 of the Code states:

15 "The board may take disciplinary action against a certified or licensed nurse or deny an  
16 application for a certificate or license for any of the following:

17 "(a) Unprofessional conduct, which includes, but is not limited to, the following:

18 "(1) Incompetence, or gross negligence in carrying out usual certified or licensed nursing  
19 functions.

20 "..."

21 8. California Code of Regulations, title 16, section 1442, states:

22 "As used in Section 2761 of the code, 'gross negligence' includes an extreme departure from  
23 the standard of care which, under similar circumstances, would have ordinarily been exercised by  
24 a competent registered nurse. Such an extreme departure means the repeated failure to provide  
25 nursing care as required or failure to provide care or to exercise ordinary precaution in a single  
26 situation which the nurse knew, or should have known, could have jeopardized the client's health  
27 or life."

9. Section 125.3 of the Code provides, in pertinent part, that the Board/Registrar/Director may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

## DRUGS

10. Vancomycin is the generic version of the brand name drug Vancocin. It is an antibiotic and a dangerous drug pursuant to section 4022 of the code.

11. Epinephrine is a dangerous drug pursuant to section 4022 of the code. It can be used to treat low blood pressure.

CAUSE FOR DISCIPLINE

(Gross Negligence)

12. Respondent is subject to disciplinary action under section 2761(a)(1) of the Code in that Respondent committed gross negligence in carrying out usual licensed nursing functions.

The circumstances are as follows:

13. On or about July 26, 2005, Respondent gave patient JH the incorrect medication. Patient JH had been prescribed both Vancomycin and Epinephrine. Each was to be administered through a separate IV drip. At or about 2100, Respondent should have given a new Vancomycin drip to Patient JH. Instead, Respondent gave Patient JH a second Epinephrine drip.

Respondent's error was not discovered for over two hours. Patient JH died as a result of Respondent's error. Respondent failed to insure Patient JH received the correct medication.

## PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number RN 574308, issued to Gultnesh Shifferaw Ambaw.

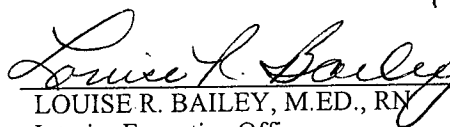
2. Ordering Gultnesh Shifferaw Ambaw to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

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3. Taking such other and further action as deemed necessary and proper.

DATED:

1/14/10



LOUISE R. BAILEY, M.ED., RN  
Interim Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
*Complainant*

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